## REMARKS

Applicants note with appreciation that claims 1-8, 20 are allowed, and that claims 11 and 14 are indicated as allowable if rewritten into independent form. Accordingly, Applicants have amended claims 11 and 14 to be in independent form, including all the limitations of the base claim and any intervening claims (none), without narrowing the scope thereof. In addition, Applicants have canceled withdrawn claims 15-19.

In the Office Action mailed 30 May 2006, the Examiner rejects claims 9-10, 12-13 under 35 U.S.C. §102(e) as anticipated by Celedon[1] (U.S. Patent No. 7,050,803). Applicants respectfully disagree and request reconsideration.

Independent claim 9 and dependent claim 10

Independent claim 9 requires, *inter alia*, "receiving a delete neighbor command identifying a first cell," and "automatically identifying a plurality of neighbor lists that should be modified in response to said command;" and "automatically deleting at least a neighbor relation to said first cell and at least one control channel identifier from a plurality of said identified neighbor lists in response to said command." Applicants respectfully submit that Celedon does not show any of these actions.

First, Applicants note that the Examiner points to col. 2, lines 19-35, and lines 36-40 to show the first two elements. Applicants would like to bring to the Examiner's attention that the cited passages appear to be discussing two different incompatible processes. Lines 19-35 appear to discuss what Celedon considers to be the prior art (e.g., peg counters). In contrast, lines 36-40 appear to point out what Celedon considers to be desired solutions to the problems in the prior art, not additional features found in the prior art. Indeed, the only place that "automatic" anything is mentioned in the cited passages is in the latter section identifying the problems in the prior art. In other words, Celedon at a minimum identifies the "automatically removing and adding cells" as being not present in the Celedon prior art. Thus, the Examiner's proposition that two different actions ("receiving a delete neighbor command" and "automatically

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[1] In the Action, the Examiner refers to the '803 patent as "Celeron;" Applicants presume this to be a typographical error on the part of the Examiner. The first named inventor for U.S. Patent No. 7,050,803

identifying a plurality of neighbor lists") are described in one process in the cited passages appears to be at odds with the cited passages themselves. Accordingly, Applicants respectfully submit that the Examiner has not provided legally sufficient support for the rejection.

Turning to more specific points, the Examiner asserts that Celedon teaches "receiving a delete neighbor command identifying a first cell" in col. 2, lines 19-35. This proposition is simply incorrect. Nowhere in the cited passage is there any mention of receiving any add or delete command. Instead, the passage at most teaches that the cell additions or deletions need to be determined. Once again, there is no mention of issuing or receiving any delete neighbor command. And, once again, it must be pointed out that the cited passage is discussing a process that Celedon considers to be prior art, not the Celedon process itself. Further, the non-existent command in Celedon does not appear to identify any particular cell; thus, even assuming *arguendo* that a delete neighbor command is somehow described in the cited Celedon passage, it does not "identify[]" a first cell," as claimed.

The Examiner asserts that Celedon teaches "automatically identifying a plurality of neighbor list that should be modified in response to said command" in col. 2, lines 36-40. This proposition is incorrect. As pointed out above, there is no command that the process of lines 36-40 is in response to. Thus, whatever the process of lines 36-40 may be, it is simply not "in response to said [received delete neighbor] command," as claimed. Further, lines 36-40 are apparently discussing some desirable attributes of some new process, not the process described in the immediately preceding passage. And, Applicants note that the Celedon process itself appears to operate on a neighbor-list-by-neighbor-list basis. Thus, it does not seem that Celedon's process itself "identif[ies] a plurality of neighbor lists" in response to a delete neighbor command, but instead at most examines only a single neighbor list at a time.

The Examiner asserts that Celedon teaches "automatically deleting at least a neighbor relation to said first cell and at least one control channel identifier from a plurality of said identified neighbor lists in response to said command" in the abstract

appears to be "Celedon", not "Celeron." However, the Examiner is requested to clarify the record by

and Figures 1 & 2 and their descriptions. This proposition is not supported by the cited passages. It would appear that the Celedon process of Figures 1 & 2 does contemplate automatically deleting a cell from a <u>single</u> neighbor list under certain limited circumstances. However, Celedon's process of Figures 1 & 2 does not appear to operate on a plurality of identified neighbor lists in response to a single triggering delete neighbor command. Nor does Celedon even mention any "control channel identifiers." Thus, it does not appear that Celedon teaches "automatically deleting at least a neighbor relation to said first cell and at least one <u>control channel identifier</u> from a <u>plurality</u> of said identified neighbor lists in response to said command," as claimed in independent claim 9.

In view of the above, Applicants submit that Celedon fails to teach each and every limitation of claim 9, as is required under §102(e) in order to support a rejection of the claim. Accordingly, Applicants submit that the Examiner has failed to establish a prima facie case of anticipation under §102(e), and that independent claim 9, and its dependent claims, therefore define patentable subject matter over the cited art.

With additional regard to dependent claim 10, Applicants note that this claim requires "a central link-list database that identifies neighbor cells and corresponding control channels for a plurality of cells." The Examiner has not pointed to any such central link-list database in Celedon. Assuming *arguendo* that the information in table 106 is somehow a central database, it is clear that table 106 does not contain "corresponding control channels for a plurality of cells." Thus, Celedon does not teach each claimed limitation of claim 10. Accordingly, Applicants submit that dependent claim 10 is patentable over the cited art even if independent claim 9 is not.

Independent claim 12 and dependent claim 13

Independent claim 12 requires, *inter alia*, "receiving a change neighbor command identifying a first cell," and "automatically identifying a plurality of neighbor lists that should be modified in response to said command;" and "automatically changing a control channel identifier associated with said first cell in a plurality of said identified

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either confirming this or by providing a correct patent number for "Celeron" in the next action.

neighbor lists in response to said command." Applicants respectfully submit that
Celedon does not show any of these actions.

First, Applicants note that the Examiner points to col. 2, lines 19-35, and lines
36-40 to show the first two elements. These passages appear to discuss 1) what
Celedon considers to be the prior art (e.g., peg counters), and 2) separately what
Celedon considers to be desired solutions to the problems in the prior art, not additional
features found in the prior art. Therefore, Applicants submit that these two passages
cannot be merged into a single process for purposes of anticipating under §102(e). On
this point, please see the discussion above with respect to claim 9.

Next, Applicants note that the exact same language is used to reject claim 12 as
to reject claim 9. However, claim 12 requires a "receiving a change neighbor
command" not "receiving a delete neighbor command," and requires " automatically
changing a control channel identifier associated with said first cell," not "automatically
deleting at least one neighbor relation...." As such, it appears that the Examiner has
overlooked differences in claim language in claim 9 and claim 12. In short, the
Examiner appears to reject claim 12 based on claim language not present in claim 12,
and has not addressed claim language expressly present in claim 12. Accordingly,
Applicants submit that the Examiner has failed to establish even a modicum of a prima
facie case of anticipation under §102(e).

Claim 12 requires "receiving a change neighbor command identifying a first cell."
The cited passage of Celedon relied on by the Examiner -- col. 2, lines 19-35 -- does
not mention receiving any change command. Instead, the passage at most teaches
that the cell additions or deletions need to be determined. Once again, there is no
mention of issuing or receiving any change neighbor command. And, once again, it
must be pointed out that the cited passage is discussing a process that Celedon
considers to be prior art, not the Celedon process itself. Further, the non-existent
command in Celedon does not appear to identify any particular cell; thus, even
assuming *arguendo* that a change neighbor command is somehow described in the
cited Celedon passage, it plainly does not "identify[] a first cell," as claimed.

Claim 12 also requires "automatically identifying a plurality of neighbor list that should be modified in response to said command." The cited passage of Celedon -- col. 2, lines 36-40 -- does not teach this. As pointed out above, there is no command that the process of lines 36-40 is in response to. Thus, whatever the process of lines 36-40 may be, it is simply not "in response to said [received change neighbor] command," as claimed. Further, lines 36-40 are apparently discussing some desirable attributes of some new process, not the process described in the immediately preceding passage. And, Applicants note that the Celedon process itself appears to operate on a neighbor-list-by-neighbor-list basis. Thus, it does not seem that Celedon's process itself "identif[ies] a plurality of neighbor lists" in response to a change neighbor command, but instead at most examines only a single neighbor list at a time.

Claim 12 also requires "automatically changing a control channel identifier associated with said first cell in a plurality of said identified neighbor lists in response to said command." The cited passage of Celedon -- the abstract and Figures 1 & 2 and their descriptions -- does not teach this. It would appear that the Celedon process of Figures 1 & 2 does contemplate automatically deleting a cell from a single neighbor list under certain limited circumstances. However, Celedon's process of Figures 1 & 2 does not appear to operate on a plurality of identified neighbor lists in response to a single triggering change neighbor command. Nor does Celedon even mention any "control channel identifiers." Thus, it does not appear that Celedon teaches "automatically changing a control channel identifier associated with said first cell in a plurality of said identified neighbor lists in response to said command," as claimed in independent claim 12.
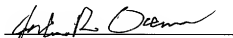
In view of the above, Applicants submit that Celedon fails to teach each and every limitation of claim 12, as is required under §102(e) in order to support a rejection of the claim. Accordingly, Applicants submit that the Examiner has failed to establish a prima facie case of anticipation under §102(e), and that independent claim 12, and its dependent claims, therefore define patentable subject matter over the cited art.

With additional regard to dependent claim 13, Applicants note that this claim requires "a central link-list database that identifies neighbor cells and corresponding

control channels for a plurality of cells." The Examiner has not pointed to any such central link-list database in Celedon. Assuming *arguendo* that the information in table 106 is somehow a central database, it is clear that table 106 does not contain "corresponding control channels for a plurality of cells." Thus, Celedon does not teach each claimed limitation of claim 13. Accordingly, Applicants submit that dependent claim 13 is patentable over the cited art even if independent claim 12 is not.

In light of the above amendments and remarks, Applicants submit that all presently pending claims define patentable subject matter over the cited art. As such, Applicants request that the Examiner reconsider the rejections and issue a Notice of Allowance. If any issues remain, Applicants request that the Examiner call the undersigned so that such issues may be resolved expeditiously.

Respectfully submitted,
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